

INTM/019 US (formerly 39387-026 US NAT'L)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Quinn Tang *et al.*
Application No. : 10/588,602 Confirmation No. : 7130
Filed : August 7, 2006
For : RNAi THERAPEUTICS FOR TREATMENT OF EYE
NEOVASCULARIZATION DISEASES
Group Art Unit : Not Yet Assigned
Examiner : Not Yet Assigned

New York, New York
June 13, 2007

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO NOTIFICATION
OF MISSING REQUIREMENTS UNDER 35 U.S.C. § 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Sir:

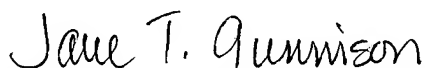
This responds to an April 13, 2007 Notification of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US) (hereinafter "Notification") in the above-identified application. The response is timely filed.

The Notification states that an oath or declaration of the inventor, in compliance with 37 C.F.R. § 1.497(a) and (b), must be furnished in order to complete the requirements for acceptance under 35 U.S.C. § 371. Accordingly, applicants enclose herewith a Declaration and Power of Attorney executed by the inventors.

The Notification also states that the application fails to comply with the requirements of 37 C.F.R. § 1.821-1.825 and must provide (1) an initial computer readable form (CRF) copy of the Sequence Listing; (2) an initial paper copy of the Sequence Listing; (3) an amendment directing its entry into the application; and (4) a statement under 37 C.F.R. §§ 1.821(f) and 1.821(g). Applicants enclose herewith all of the required items.

Finally, the Notification states that additional claim fees of \$1350 as a non-small entity must be submitted to complete the requirements for acceptance under 35 U.S.C. 371. Applicants enclose herewith an assertion of small entity status under 37 C.F.R. § 1.27(a). Accordingly, patentees are entitled to payment of reduced fees under 37 C.F.R. § 1.27(b). The Director is hereby authorized to charge \$800 in payment for the additional fees to Deposit Account No. 06-1075 (Order No. 104825-0019). A duplicate copy of this paper is submitted herewith.

Respectfully submitted,



Jane T. Gunnison (Reg. No. 38,479)
Attorney for Applicants

FISH & NEAVE IP GROUP
ROPES & GRAY LLP
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL For FY 2007		Complete If Known	
		Application Number	10/588,602
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	August 7, 2006
		First Named Inventor	Quinn Tang
		Examiner Name	Not Yet Assigned
TOTAL AMOUNT OF PAYMENT		Art Unit	Not Yet Assigned
(\$800)		Attorney Docket No.	INTM/019 (39387-026 US NAT'L)

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 06-1075 (104825-0019) Deposit Account Name: Fish & Neave IP Group of Ropes & Gray LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	0
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Small Entity Fee (\$)	Fee Paid (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims 47 - 20 or HP = 27 **Extra Claims** x 25 **Fee (\$)** = 675 **Fees Paid (\$)** = 675

HP = highest number of total claims paid for, if greater than 20

Indep. Claims 2 - 3 or HP = x **Fee (\$)** = 0 **Fees Paid (\$)** = 0

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
128	28	1	125	125

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

SUBMITTED BY			
Signature	<u>Jane T. Gunnison</u>	Registration No. 38,479 (Attorney/Agent)	Telephone (212) 596-9000
Name (Print/Type)	Jane T. Gunnison	Date June 13, 2007	

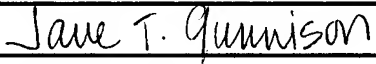
This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

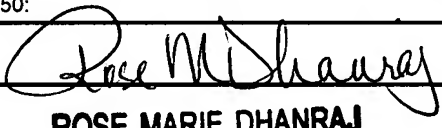
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/588,602
	Filing Date	August 7, 2006
	First Named Inventor	Quinn Tang
	Art Unit	Not Yet Assigned
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	12	Not Yet Assigned
		INTM/019 (39387-026 US NAT'L)

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Preliminary Amendment <input checked="" type="checkbox"/> Assertion of Small Entity Status under 37 C.F.R. § 1.27(c)(1) <input type="checkbox"/> Supplemental Application Data Sheet <input checked="" type="checkbox"/> Declaration (executed) <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Notification of Missing Requirements under 35 U.S.C. § 371	<input checked="" type="checkbox"/> Sequence Listing (Computer readable diskette) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Statement under 37 CFR §§ 1.821(f) and (g); 2. Paper copy of Sequence Listing (61 pages); 3. Request for Change of Attorney Docket Number (in duplicate); 4. Copy of Notification of Missing Requirements; and 5. Postcard.
Remarks The Director is hereby authorized to charge any fee due, or to credit any overpayment, in connection with this submission to Deposit Account No. 06-1075, Order No. 104825-0019. A duplicate copy of this Transmittal is enclosed herewith.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Fish & Neave IP Group of Ropes & Gray LLP		
Signature			
Printed name	Jane T. Gunnison		
Date	June 13, 2007	Reg. No.	38,479

CERTIFICATE OF EXPRESS MAIL TRANSMISSION – Express Mail No.: EM016026941US			
I hereby certify that this correspondence is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop: PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:			
Signature			
Typed or printed name	ROSE MARIE DHANRAJ	Date	June 13, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/588,602	Quinn Tang	39387-026 US NAT'L

INTERNATIONAL APPLICATION NO.

PCT/US05/03857

I.A. FILING DATE	PRIORITY DATE
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02/07/2005

02/05/2004

CONFIRMATION NO. 7130

371 FORMALITIES LETTER



OC000000023372899

61263
 PROSKAUER ROSE LLP
 1001 PENNSYLVANIA AVE, N.W.,
 SUITE 400 SOUTH
 WASHINGTON, DC 20004

Date Mailed: 04/13/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/07/2006
- Copy of the International Search Report filed on 08/07/2006
- Copy of IPE Report filed on 08/07/2006
- Copy of Annexes to the IPE filed on 08/07/2006
- Preliminary Amendments filed on 08/07/2006
- U.S. Basic National Fees filed on 08/07/2006
- Priority Documents filed on 08/07/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$1350** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$1350** for a Large Entity:

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May

15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- Total additional claim fee(s) for this application is \$ **1350**

- **\$1350** for **27** total claims over 20.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/588,602	PCT/US05/03857	39387-026 US NAT'L

FORM PCT/DO/EO/905 (371 Formalities Notice)